

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

UNITED STATES OF AMERICA

vs.

Case No.: 3:17-cr-76-TJC-JBT

RODERICK RANDOLPH LESTER

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**ORDER**

On May 6, 2021, the Court denied Defendant Roderick Randolph Lester's motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A). (Doc. 73, Order Denying Motion for Compassionate Release). Before the Court is Defendant's belated reply brief (Doc. 74), which he filed after the Court denied his motion for compassionate release, and Defendant's motion for reconsideration (Doc. 75). In the reply brief and motion for reconsideration, Defendant argues that the Court has the authority to grant compassionate release for any reason it considers "extraordinary and compelling," without regard to the policy statement, U.S.S.G. § 1B1.13. Defendant maintains that the Court should grant him compassionate release because the two caregivers of his minor children have health problems, which allegedly render them unable to provide childcare, and because of the Covid-19 pandemic.

The Court appointed the Federal Public Defender to investigate Defendant's request for compassionate release and, if supported by the facts and the law, to file a supplemental motion for compassionate release or other appropriate motion. (Doc. 76). The Federal Public Defender requested, and the Court granted, an extension of time and access to sealed records to investigate Defendant's request. (Docs. 79, 80, 81). On September 29, 2021, the Federal Public Defender filed a Notice of Discharge of Duties and Motion to Withdraw, in which counsel advised the Court that counsel had investigated Defendant's request for compassionate release but was unable to verify the bases for his request. (Doc. 82). Counsel notified Defendant that she was unable to verify the bases for his request and that she would seek to withdraw from the case, at which point Defendant ceased further communications with her. (Id. at 3 & n.1). The Court granted the Federal Public Defender's Motion to Withdraw on October 22, 2021. (Doc. 83).

The Court has reviewed Defendant's reply brief, motion for reconsideration, and the record, but finds that the motion for reconsideration is due to be denied. The Court's previous Order (Doc. 73) addressed Defendant's argument that the Court has authority to grant a reduction in sentence for any reason it finds to be "extraordinary and compelling." The Court stated that it would have denied Defendant's motion for compassionate release even if it were not bound by U.S.S.G. § 1B1.13 and its commentary. (Doc. 73 at 5 n.2).

Defendant's argument is now foreclosed by the Eleventh Circuit Court of Appeals' decision in United States v. Bryant, 996 F.3d 1243 (11th Cir. 2021). In Bryant, the court held that § 1B1.13 is an applicable policy statement for defendant-filed motions for compassionate release, that district courts are still bound by § 1B1.13's definition of "extraordinary and compelling reasons," and that courts are not free to develop other reasons to justify a sentence reduction under 18 U.S.C. § 3582(c)(1)(A). Id. at 1247–48. Finally, in any event, Defendant fails to persuade the Court that its reasons for denying his motion for compassionate release were erroneous. (See Doc. 73 at 4–7).

Accordingly, Defendant's motion for reconsideration (Doc. 75) is **DENIED**.

**DONE AND ORDERED** at Jacksonville, Florida this 1st day of November, 2021.



*Timothy J. Corrigan*  
TIMOTHY J. CORRIGAN  
United States District Judge

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Parties and counsel of record